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10/587,952

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EXAMINER

AIRAPETIAN, MILA

ART UNIT

PAPER NUMBER

3625

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |                                   |  |
|------------------------------|--------------------------------------|-----------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/587,952 | <b>Applicant(s)</b><br>IDO ET AL. |  |
|                              | <b>Examiner</b><br>MILA AIRAPETIAN   | <b>Art Unit</b><br>3625           |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-4, 8, 9-12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Auletta (US 2005/0091120) in view of Oshima (US 2003/0074265).**

**Claim 9.** Auletta teaches a computer-implemented method for exchanging gifts, comprising:

storing personal information which is information indicating features of predetermined gift receivers [0048], [0052];

receiving receiver information which is information indicating features of a receiver assumed to receive a gift and product information which is information of said gift including said receiver information [0046], [0055];

arranging said product information received so that said product information including said receiver information of a receiver whose features match the features of said gift receiver are displayed [0048]; and

displaying said product information in order of the arrangement [0052].

However, Auletta does not explicitly teach that said “arranging” includes arranging said product information so that said product information including said receiver information of a receiver whose features match the features of said gift receiver comes to the top.

Oshima teaches a computer-implemented method for providing a gift intermediating system wherein the application selects at least one item among the plurality of items stored in the item information storage means, and displays the wish list of the at least one selected item in an enumerative manner. After selection of desired items among the plurality of items stored in the item information storage means and registry, the recipient can refer to the wish list of the selected items displayed in an enumerative manner [0015], [0016].

It would have been obvious to one of ordinary skills in the art at the time the invention was made to modify Auletta to include that said “arranging” includes arranging said product information so that said product information including said receiver information of a receiver whose features match the features of said gift receiver comes to the top, as suggested by Oshima, because it would advantageously help the giver who desires to give the gift check if there is any desired item and where the desired item is purchased [0018].

**Claim 10.** Oshima teaches said method further comprising the steps of: measuring a current date and time; and selecting said gift receiver for whom a result of subtracting the current date and time measured from a specific date and time stored as

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said personal information is equal to or lower than a threshold, wherein said received product information is arranged so that said product information including said receiver information of a receiver whose features match the features of said selected gift receiver comes to the top [0034]. The motivation to combine Auletta and Oshima would be to enable the recipient, who is expected to receive the gift, to readily check the registered wish list of items, while enabling the giver, who desires to give the gift, to select desired items for the gift by simply referring to the common list, as taught by Oshima [0034].

**Claim 11.** Auletta teaches said method further comprising a step of storing expiration dates of purchasing before said specific date and time of said gift in said product information selected, wherein said expiry dates of purchasing stored are displayed up to said expiration date for purchasing [0052].

**Claim 12.** Auletta teaches said method wherein said product information received is arranged so that said product information of said gift receiver whose communication frequency is equal to or greater than a threshold comes to the top [0059].

**Claim 14.** Same reasoning applied to claim 10.

**System claims 1-4 and 8** repeat the subject matter of method claims 9-12 and 14 respectively, as a set of apparatus elements rather than a series of steps. As the underlying processes of claims 9-12 and 14 have been shown to be fully disclosed by the teachings of Auletta and Oshima in the above rejections of claims 9-12 and 14, it is

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readily apparent that the system disclosed by Auletta and Oshima includes the apparatus to perform these functions. As such, these limitations are rejected for the same reasons given above for method claims 9-12 and 14, and incorporated herein.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 5, 7, 13 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Auletta.**

**Claim 13.** Auletta teaches a computer-implemented method for exchanging gifts, comprising:

storing personal information which is information indicating features of predetermined gift receivers [0048], [0052];

receiving receiver information which is information indicating features of a receiver assumed to receive a gift and product information which is information of said gift including said receiver information [0046], [0055];

deciding whether the features of said gift receiver match the features of said receiver or not and selecting, when the decision result shows that the features match, said product information including said receiver information of the receiver whose features match the features of said gift receiver [0065]; and

displaying said product information selected including said decision result when the features match [0052].

**Claim 15.** Auletta teaches said method, wherein said product information selected including said decision result when the features of said gift receiver whose communication frequency is equal to or greater than a threshold match the features of said receiver is displayed [0059].

**System claims 5 and 7** repeat the subject matter of method claims 13 and 15 respectively, as a set of apparatus elements rather than a series of steps. As the underlying processes of claims 13 and 15 have been shown to be fully disclosed by the teachings of Auletta in the above rejections of claims 13 and 15, it is readily apparent that the system disclosed by Auletta includes the apparatus to perform these functions. As such, these limitations are rejected for the same reasons given above for method claims 13 and 15, and incorporated herein.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MILA AIRAPETIAN whose telephone number is

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(571)272-3202. The examiner can normally be reached on Monday-Friday 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on (571) 272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mila Airapetian/  
Primary Examiner, Art Unit 3625